

040217 - 22

LARAMIE COUNTY CLERK BOARD OF COUNTY COMMISSIONERS AGENDA ITEM PROCESSING FORM

1. Date of proposed action: February 17, 2004
2. Agenda item: County Final Plat and Subdivision Permit of Daniels' Divide Subdivision, a parcel of land situate in a portion of the SW¼ of Section 19, T.14N., R.62W., 6th P.M., Laramie County, Wyoming (located approximately one-half mile north of I-80 on State Highway 213).
3. Department: Development Applicant: Mary Daniels
Agent: Larry Perry, Terrestrial Surveying & Mapping Co.
4. Notes: The Regional Planning Commission recommended approval of the Final Plat and Subdivision Permit by a unanimous vote of 8 to 0 at their February 2, 2004 meeting, with staff conditions. See the attached report for more definitive information.
5. Documentation: 5ea. - Staff
Report, Resolution and Map
6. Motion: Recommend approval

COMMISSIONERS VOTE

Knudson _____

Ketcham _____

Humphrey _____

Action _____

Postponed _____

STAFF REPORT

DANIELS' DIVIDE SUBDIVISION

County Final Plat and Subdivision Permit

CASE NUMBER: F-04-06/B-04-01

FILE CODE: DADS-BFP

MEETING February 2, 2004 - Planning Commission
DATES: February 17, 2004 - County Commissioners

OWNER: Mary Daniels (308) 762-9778
2423 Highway 2A-8
Alliance NE 69301

AGENT: Larry Perry (307) 634-9360
% Terrestrial Surveying & Mapping Co.
1127 Terry Ranch Road
Cheyenne WY 82007

REQUEST: County Final Plat and Subdivision Permit

PURPOSE: To subdivide a parcel of land into two tracts for rural-residential use.

LOCATION:

(1) Legal Description: A portion of the SW¼ of Section 19, T.14N., R.62W., 6th P.M., Laramie County, Wyoming, to be known as Daniels' Divide Subdivision.

(2) General Location: Approximately one-half mile north of I-80 on State Highway 213.

(3) Addresses: N/A

(4) Map Page: H6-County

SIZE:	Total:	24.96-acres
	Residential Tracts:	2
	Smaller Tract:	10.68-acres
	Larger Tract:	14.28-acres
	Average Density:	12.48-acres

EXISTING ZONING: N/A - outside the zone boundary

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Residential

RECOMMENDED LAND USE PER ADOPTED PLAN: Low Density Rural/Agricultural (10-35 Acres) (ref: *Laramie County Comprehensive Plan 2001*).

SURROUNDING LAND USE:	ZONING	ANNEXATION STATUS
North: Vacant	N/A	County
South: Vacant	N/A	County
East: Vacant	N/A	County
West: Vacant	N/A	County

DESCRIPTION OF SITE AND SURROUNDINGS: The site is vacant grazing land and is located west of and adjacent to State Highway 213 (Burns Road). The property surrounding the proposed subdivision is vacant unplatted land.

AREA HISTORY: Property surrounding the proposed plat is unplatted. Hart Tracts, a two tract subdivision, which is located southwest of this proposed plat, was platted in 2000 with an average density of 17.7 acres. Directly west of Hart Tracts is a subdivision known as Milt-Rose Ranchettes, platted in 1976. That subdivision included 26 tracts with an average tract density of 5.9 acres.

PLAT DATA: The final plat includes approximately 24.9-acres. Access to Tract 2 is from State Highway 213 and will be permitted through the Wyoming Department of Transportation Department. A 40-foot wide access and utility easement identified on the preliminary plat south of and outside of the plat boundary will serve as access to Tract 1. The agent listed rural residence for the intent for the subdivision. The plat indicates the tracts will have an average density of 12.48-acres, which meets the criteria in the Cheyenne – Laramie County Subdivision / Development Regulations 2000, Section 80.020(d) 3, of a minimum density in the “low density area” that shall be no greater than one dwelling unit per ten acres. The tracts are proposed to be served by individual well and septic systems. Fire protection will be provided by Fire District #6.

COMMUNITY FACILITY FEES: Fees are assessed at \$50.00 per acre or \$1,250.00 (25.0 x \$50) for this filing. Fees are due and payable prior to signatures being affixed the final plat map.

SUBDIVISION PERMIT: The Subdivision Permit application/requirement has been completed by the applicant and fees in the amount of \$100.00 have been paid.

REVIEWING AGENCY COMMENTS:

Environmental Health: Small wastewater permits will be required. Any septic system shall have a 50’ setback from all property lines and drainage easements. A complete USDA soil survey and a copy of the signed final plat shall be submitted to this office prior to application for any small wastewater system permits.

WyDOT: Access easement should be reviewed for adequacy of access to highway. Tract 2 would need to meet all access control requirements before it could have separate access.

Laramie County Planning/Zoning: The Final Plat has been prepared in a manner that addresses the comments of the Planning Department issued with the Preliminary Plat.

RT Communication: Proposed utility easements, satisfactory with RT Communications Inc.

AGENCIES RESPONDING WITHOUT COMMENTS: Department of Energy, County Assessor, Sheriff's Office.

AGENCIES NOT RESPONDING: State Engineer, County Clerk, County Fire District #6, County Public Works Department, Department of Environmental Quality, High West Energy, Laramie County Conservation District, Phillips Pipeline, Planning/Cheyenne MPO, Laramie County School District #2, U.S. Post Office.

OTHER COMMENTS RECEIVED: None

RECOMMENDATION: The Development Office recommends approval of the final plat and subdivision permit with the following conditions:

- 1) Darken the eastern most plat boundary line.
- 2) Community Facility Fees to be paid in full prior to signatures being affixed to the final plat map.

encl: Final Plat Map
County Map
Subdivision Permit packet

cc: Owner/Agent
County Planning/Zoning
File (DADS-BFP)

STAFF REPORT UPDATE (02-02-04):

At their meeting, the Cheyenne/Laramie County Regional Planning Commission recommended approval of the final plat and subdivision permit of Daniel's Divide Subdivision, with staff conditions, by a unanimous vote of 8 to 0.

Letter of Intent

Daniel's Divide Subdivision

I, Mary C. Daniels, owner in fee simple of the lands embraced within the plat of Daniel's Divide Subdivision, a Subdivision situate in the SW $\frac{1}{4}$ of Section 19 of T.14N. R.62W. of the 6th P.M. in Laramie County, Wyoming, do hereby state and declare that it is my intent to submit to the County all such Community Facilities Fees that are required in accordance with the Laramie County Subdivision Regulations.

Mary C. Daniels

A handwritten signature in cursive script that reads "Mary C Daniels Schott". The signature is written in dark ink and is positioned below the printed name "Mary C. Daniels".

KNOW ALL MEN BY THESE PRESENTS: That Wyoming Bank & Trust, a
corporation organized and existing under and by virtue of the laws of the State of Wyoming, and the mortgagee in
that certain mortgage dated 2-12-1998, recorded in Book 1472 on Page 1600
of the records of said Laramie County, Wyoming, in the office of its County Clerk and Ex-officio
Register of Deeds, and executed by Mary C. Daniels, a Single Person

to secure the payment of Sixty thousand one hundred eighty five no/100 Dollars,
evidenced by a note of even date with said mortgage, does hereby acknowledge the payment in full of the debt and
note secured by said mortgage, and in consideration of said payment does hereby release the said mortgage and
declare the same cancelled, discharged and null and void.

And the said Wyoming Bank & Trust hereby represents that at the time
of the payment of said debt, it was the owner and holder of said mortgage and of the aforesaid debt and note.

IN WITNESS WHEREOF, Wyoming Bank & Trust
has caused this instrument to be signed by its Exec. V.P. and Branch Mgr. Bookkeeper
its corporate seal 2 day of January, attested by its Secretary, and
affixed this xx day of January, A. D. 2004

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF



Wyoming Bank & Trust
By Charles T. Fornstrom
Exec. V.P. and Branch Manager

Attest: Teresa Lantis
Bookkeeper

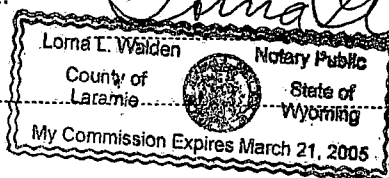
Secretary

THE STATE OF WYOMING,
COUNTY OF Laramie } ss.

I, Lorna L. Walden, a Notary Public in and for said County in the State
aforesaid, do hereby certify that on this 2 day of January, A. D. ~~19~~ 2004
before me appeared Charles T. Fornstrom, to me personally known, who being
duly sworn, did say that he is the Exec. V.P. and Branch Manager of Wyoming Bank & Trust
and that the seal affixed to said instrument is the corporate seal of said corporation and that said
instrument was signed and sealed in behalf of said corporation by authority of its Exec. V.P. and Branch Manager
and said Bookkeeper acknowledged said instrument to be the free act and deed of
said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this 2 day of
January 2004 A. D.

My commission expires 3-21-2005



Notary Public.

No.

Release of Mortgage

THE STATE OF WYOMING,

COUNTY OF } ss.

This instrument was filed for record on the

day of A. D.

, at o'clock M., and is

recorded in Book

Page

County Clerk and Ex-Officio Register of Deeds

Deputy

Pioneer Printing Co., Cheyenne

Larry T. Garry
will pick up

RECORDED 1/08/2004 AT 11:23 AM REC# 375559 BK# 1786 PG# 110
DEBRA K. LATHROP, CLERK OF LARAMIE COUNTY, WY PAGE 2 OF 2

THE STATE OF WYOMING,

County of Laramie

ss.

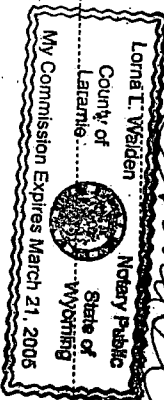
I, Lorna L. Walden

aforsaid, do hereby certify that on this 2 day of January, A. D. 19 2004

before me appeared Charles F. Fornstrom, to me personally known, who being duly sworn, did say that he is the Exec. V.P. and Branch Manager of Wyoming Bank & Trust, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Exec. V.P. and Branch Manager and said Bookkeeper acknowledged said instrument to be the free act and deed of said corporation for the uses and purposes therein set forth.

In WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this 2 day of January, A. D. 19 2004

My commission expires 3-21-2005



Notary Public.

Release of Mortgage

THE STATE OF WYOMING, }
COUNTY OF } ss.

This instrument was filed for record on the _____ day of _____ A. D. 19_____, at _____ o'clock _____ M., and is duly recorded in Book _____ on Page _____

County Clerk and Ex-Officio Register of Deeds

By _____, Deputy

LARAMIE COUNTY, WYOMING - 2003 TAX RECEIPT

DATE: 12/31/03

PROPERTY NBR: 00014006219061 DISTRICT: 02.06

** DUPLICATE **

LEGAL DESCRIPTION:

LOCATION: 1148 ST. HWY. 213

A TRACT OF LAND IN THE SW1/4 19-14-62. BEG AT THE SW COR OF SEC 19: TH N 00 DEG 19'30"E & ALNG THE W LINE OF SEC 19. 50': TH S 89 DEG 44'30"E . 40' TO A PNT ON THE ESTLY R/W LINE OF CO.RD. 48-4: TH N (CONTINUED)

RECEIVED FROM: SCHOTT, MARY C.

CHECK 1121 ON 12/31/03

	TAXES	INTEREST	MISC	TOTAL
1ST HALF -	79.76	.00	.00	79.76

2ND HALF -	79.75	.00	.00	79.75
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TOTAL PAID- 159.51

DANIELS, MARY C.

BATCH NBR: 109

2423 HWY. 2 A-B

CP NBR: LOAN NBR:

ALLIANCE, NE 69301-3468

KIM E. LOVETT

LARAMIE COUNTY TREASURER

RELEASE OF MORTGAGE—Corporation Form

Printed and for sale by Pioneer Printing Co.

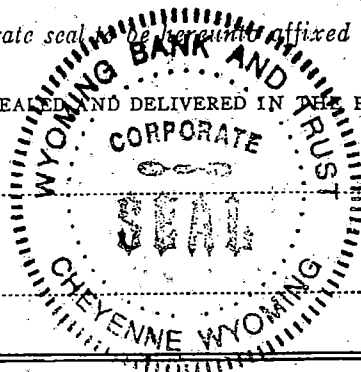
KNOW ALL MEN BY THESE PRESENTS: That Wyoming Bank & Trust, a corporation organized and existing under and by virtue of the laws of the State of Wyoming, and the mortgagee in that certain mortgage dated 2-12-1998, recorded in Book 1472 on Page 1600 of the records of said Laramie County, Wyoming, in the office of its County Clerk and Ex-officio Register of Deeds, and executed by Mary C. Daniels, a Single Person

Sixty thousand one hundred eighty five no/100 Dollars, mortgagor, to secure the payment of Sixty thousand one hundred eighty five no/100 Dollars, evidenced by a note of even date with said mortgage, does hereby acknowledge the payment in full of the debt and note secured by said mortgage, and in consideration of said payment does hereby release the said mortgage and declare the same cancelled, discharged and null and void.

And the said Wyoming Bank & Trust hereby represents that at the time of the payment of said debt, it was the owner and holder of said mortgage and of the aforesaid debt and note.

IN WITNESS WHEREOF, Wyoming Bank & Trust has caused this instrument to be signed by its Exec. V.P. and Branch Mgr. Bookkeeper, attested by its Secretary, and its corporate seal to be hereunto affixed this 2 day of January, A. D. 2004

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Wyoming Bank & Trust

By Charles T. Fornstrom
Exec. V.P. and Branch Manager

Attest:

Teresa L. Curtis
BookkeeperSecretary
XXXXXXXXXX

KNOW ALL MEN BY THESE PRESENTS: That Wyoming Bank & Trust, a corporation organized and existing under and by virtue of the laws of the State of Wyoming, and the mortgagee in that certain mortgage dated 2-12-1998, recorded in Book 1472 on Page 1600 of the records of said Laramie County, Wyoming, in the office of its County Clerk and Ex-officio Register of Deeds, and executed by Mary C. Daniels, a Single Person

to secure the payment of Sixty thousand one hundred eighty five no/100 Dollars, evidenced by a note of even date with said mortgage, does hereby acknowledge the payment in full of the debt and note secured by said mortgage, and in consideration of said payment does hereby release the said mortgage and declare the same cancelled, discharged and null and void

And the said Wyoming Bank & Trust

hereby represents that at the time

of the payment of said debt, it was the owner and holder of said mortgage and of the aforesaid debt and note.

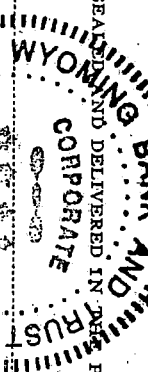
IN WITNESS WHEREOF, Wyoming Bank & Trust

Exec. V.P. and Branch Mgr.

BOOKKEEPER

has caused this instrument to be signed by its 2 day of January, attested by its Secretary and its corporate seal affixed this 2 day of January, A. D. 2004

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF



Charles T. Fornstrom
Exec. V.P. and Branch Manager

Attest: Teresa A. Carter
Bookkeeper

XXXXXXXXXX

Proof of Publication

Legal #2119

THE STATE OF WYOMING)
) SS
COUNTY OF LARAMIE)

DENNIS K. CHEATHAM, being first duly sworn according to law, deposes and says as follows: That he is the editor of the PINE BLUFFS POST, a newspaper of general circulation published once every week on Thursday at Pine Bluffs, in Laramie County, State of Wyoming; and that the attached notice was regularly published and circulated in the regular issue of said paper, and not in any supplement thereof, on the following dates:

Thursday, December 18, 2003

Thursday, December 25, 2003



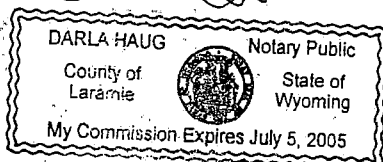
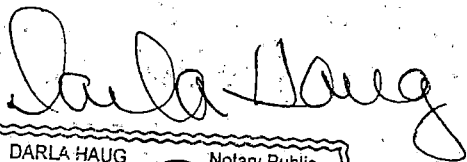
DENNIS K. CHEATHAM, Editor

Subscribed and sworn to before me, by the aforesaid Dennis K. Cheatham, personally known to me to be the editor of the PINE BLUFFS POST, this

12-25-03

(DATE)

(SEAL)



Public Notice

PUBLIC NOTICE

Notice is hereby given that Mary C. Daniels of 2423 Highway 2A-8, Alliance, Nebraska 69301, tel: 308-762-9778, intends to apply for a Subdivision Permit on the property located North of Interstate 1-80 frontage Road on State Highway 213 (Burns Road) being situated in the SW 1/4 of Section 19 in T.14 N. R. 62 W of the Sixth Principal Meridian in Laramie County, Wyoming, said Subdivision to be

named "Daniel's Divide"

If there are any questions, please contact the owner of these lands as named above. For more information about the Subdivision review process, contact the Cheyenne-Laramie County Development Office at 2101 O'Neil Ave., Cheyenne, Wyoming 82001, Tel: 307-637-6282.

Legal No. 2119. Published in the Pine Bluffs Post Dec. 18 and 25, 2003.

COURTESY PROOF FOR PRIVATE FILES ONLY

The attached legal advertisement will appear in the **Pine Bluffs Post**, as per your request, and will be published on the dates indicated at the bottom of the notice. When publication is completed and payment has been received, a Publisher's Affidavit will be mailed to your office – should you desire more affidavits kindly advise.

If there are any corrections or alterations to be made, kindly notify us at once. If we do not hear from you, we will consider the attached publication as being correct.

The cost of this advertisement is

\$40.00

Make all checks payable to:
PINE BLUFFS POST
PO BOX 68
PINE BLUFFS, WY 82082
PHONE: 307-245-3763
FAX: 307-245-3325

DETACH AND MAIL WITH YOUR PAYMENT

Account Name
 Terrestrial Surveying & Mapping Co.
 127 Terry Ranch Road
 Cheyenne, WY 82007

Legal # 2119

Total Charge **\$40.00**

Run Dates

12/18/2003

12/25/2003

**In Account With
 PINE BLUFFS POST
 For Legal Advertising of**

Daniels Subdivision permit

Site:

Payment Received _____ By _____

Public Notice

PUBLIC NOTICE

Notice is hereby given that Mary C. Daniels of 2423 Highway 2A-8, Alliance, Nebraska 69301, tel: 308-762-9778, intends to apply for a Subdivision Permit on the property located North of Interstate 80 frontage Road on State Highway 213 (Burns Road) being situated in the SW 1/4 of Section 19 in T.14 N. R.62 W of the Sixth Principal Meridian in Laramie County, Wyoming, said Subdivision to be

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Terrestrial Surveying & Mapping Co.

1127 Terry Ranch Road
Cheyenne, Wyoming 82007

8 December 2003

Pine Bluffs Post
Pine Bluffs, Wyoming

To whom it may concern:

I am transmitting this legal notice to you for publication in your news paper to fulfill the requirements as set forth in the Laramie County subdivision regulations. My client, Mary C. Daniels shall pay for this publication, but you may use my mailing address as a place to submit your invoice. If you have any questions or need to contact me about this matter, you may contact me at Telephone No. 307-634-9360.

Thank you,
Larry T. Perry L.S.

A handwritten signature in cursive script that reads "Larry T. Perry L.S.". Below the signature is a thick, dark horizontal line.

"Your Friendly Neighborhood Surveyor"

Terrestrial Surveying & Mapping Co.

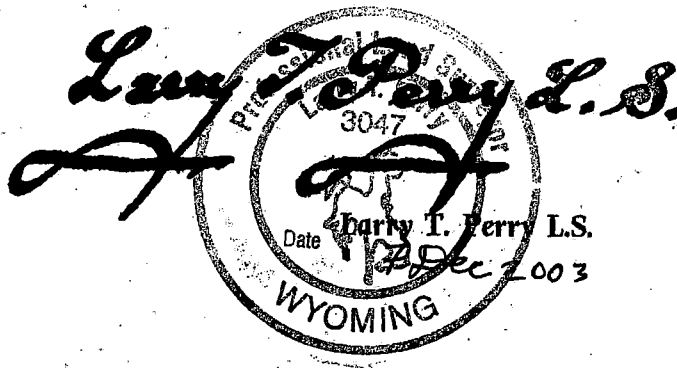
1127 Terry Ranch Road
Cheyenne, Wyoming 82007

To whom it May Concern:

Re: Daniel's Divide Subdivision

There are NO PUBLIC or PRIVATE Roadways, alleys or other areas of concern that would or could be constructed utilizing Laramie County Public Works Standards. These proposed Subdivision does not contain any dedicated roads.

This Statement is true and correct to the best of my knowledge and belief.



"Your Friendly Neighborhood Surveyor"

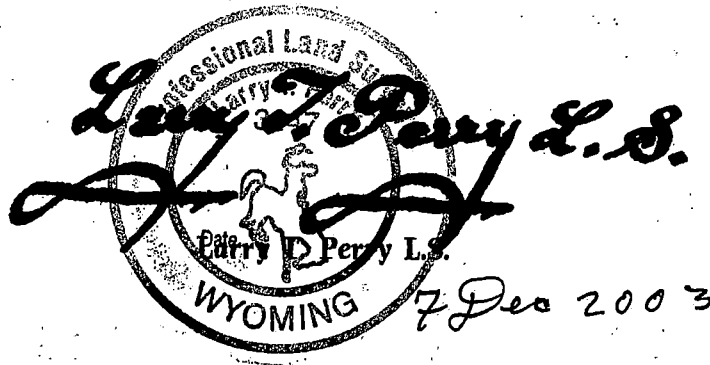
Terrestrial Surveying & Mapping Co.

1127 Terry Ranch Road
Cheyenne, Wyoming 82007

I, Larry T. Perry L.S., a Registered Professional Land Surveyor in the State of Wyoming, do hereby state that this subdivision to be known as Daniel's Divide, is situate in an area that is not within the Zoned area of Laramie County, Wyoming. This proposed Subdivision does comply with the existing neighborhood land use and is compatible with surrounding area.

Since there is no applicable Zoning in this area, no zone changes were applied for or required.

This above stated Certification is accurate and is correct to the best of my knowledge and belief.



"Your Friendly Neighborhood Surveyor"

P.O. Box 21000
Cheyenne, Wyoming 82003
307-632-7733



www.wyomingbank.com

P.O. Box 100
Burns, Wyoming 82053
307-547-3535

December 5, 2003

To Whom It May Concern:

Mary C. Daniels has been a customer of Wyoming Bank and Trust since 1998.

We have had loans with her and she has always paid as agreed. She has also maintained a checking account with Wyoming Bank and Trust.

She has always managed her accounts with Wyoming Bank and Trust in a financially responsible manner.

She is well liked and respected within the community.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Charles T. Fornstrom'.

Charles T. Fornstrom
Exec. Vice President &
Branch Manager

Nº 50033

DEPUTY

HEALTH INSURANCE		
REFUNDS/OVERPAYMENTS		
INVESTMENT INTEREST		
TOTAL	1250	

RESOLUTION NO. 040217-22

ENTITLED: "A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF COMMISSIONERS FOR LARAMIE COUNTY, WYOMING, AND THE COUNTY CLERK, TO SIGN A FINAL PLAT AND SUBDIVISION PERMIT OF DANIELS' DIVIDE SUBDIVISION, A PARCEL OF LAND SITUATE IN A PORTION OF THE SW¼ OF SECTION 19, T.14N., R.62W., 6TH P.M., LARAMIE COUNTY, WYOMING (LOCATED APPROXIMATELY ONE-HALF MILE NORTH OF I-80 ON STATE HIGHWAY 213)."

WHEREAS, Laramie County, Wyoming, has subdivided said land in accordance with the statutes in such cases made and provided; and

WHEREAS, the owner, Mary C. Daniels, of the above described land, has caused a subdivision plat of said land to be made, acknowledged, and certified, particularly describing the tracts and easements; and

WHEREAS, the above described subdivision plat and permit have been presented to the Cheyenne-Laramie County Regional Planning Commission for consideration and has been recommended for approval to the governing body and the plat has been duly executed by the Cheyenne-Laramie County Development Office; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR LARAMIE COUNTY, WYOMING, THAT the subdivision described as Daniels' Divide Subdivision, a parcel of land situate in a portion of the SW¼ of Section 19, T.14N., R.62W., 6th P.M., Laramie County, Wyoming, be and the same hereby is approved and confirmed as presented, and that the Chairman of the Board of Commissioners and the County Clerk for Laramie County, Wyoming, be and are hereby authorized, empowered, and directed to execute said plat when Community Facility Fees are paid in full.


PRESENTED, READ AND ADOPTED THIS 17 DAY OF Feb, 2004.


JACK KNUDSON, CHAIR

(SEAL)
ATTEST:


DEBRA K. LATHROP, COUNTY CLERK


Received And Approved
As To Form Only
By The County Attorney

 2/9/04

COPY OF RECORD